UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/50/260
S/1995/518
28 June 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 92 of the preliminary list*
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 28 June 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 28 June 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia, Dr. Mate Granić, addressed to you (see annex).

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly under item 92 of the preliminary list and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

* A/50/50/Rev.1.

95-19418 (E) 280695 290695

/...

ANNEX

The Government of Croatia is extremely alarmed and concerned by the latest developments in the "Federal Republic of Yugoslavia (Serbia and Montenegro)" and by the direct implications and consequences of these developments for the occupied territories of Croatia. The degree of involvement of the Belgrade regime on behalf of their proxies in Croatia and the level of its intervention in the occupied territories of Croatia has increased in a significant way recently, and in the last few days in particular. Your Special Representative, Mr. Yasushi Akashi, was informed of this matter of critical importance on 26 June 1995 in Zagreb.

The related developments in the "Federal Republic of Yugoslavia (Serbia and Montenegro)" and the occupied territories of Croatia constitute (i) unauthorized direct military intervention by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" across an international border of a sovereign State, in violation of the Charter of the United Nations and relevant Security Council resolutions; (ii) a continuation of a policy of occupation pursued by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in violation of General Assembly resolution 49/43 of 9 December 1994; (iii) a violation by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" of the border blockade established by the Security Council in its resolution 943 (1994) of 23 September 1994 and reaffirmed by the Council in its resolution 988 (1995) of 21 April 1995; and (iv) a grave breach of international humanitarian law by the "Federal Republic of Yugoslavia (Serbia and Montenegro)", which amounts to a war crime.

The Government of Croatia has already documented in several letters (S/1995/229, S/1995/401 and A/50/229) that the "Army of Yugoslavia" is actively engaged in Croatia by sending matériel from Serbia and Montenegro to the occupied territories; by directing the paramilitary units in the occupied territories through about 6,000 Belgrade-commissioned officers sent to these territories for that purpose; by paying the wages of those officers and of other members of the proxy government and military; and by forcibly mobilizing citizens of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" and ethnic Serb citizens of Croatia and Bosnia and Herzegovina for military service in the occupied territories of Croatia.

The forcible mobilization is proceeding on a large scale. As at 14 June 1995, over 4,500 mobilized men were transferred against their will while a further 500 volunteers were also transported to the occupied territories of Croatia. The transfer of military personnel from Serbia and Montenegro, across the territory of the Republic of Bosnia and Herzegovina, under the control of Bosnian Serbs, is a direct violation of Security Council resolutions 752 (1992) of 15 May 1992, 820 (1993) of 17 April 1993, 871 (1993) of 4 October 1993, 943 (1994) and, in particular, 988 (1995). The soldiers are being transported in vehicles proved by the "Army of Yugoslavia", across the Serbia/Bosnia border at Raća, since 14 June 1995, and have been entering the occupied territories of Croatia at Dvor since 15 June 1995. The mobilization in Serbia and Montenegro and reinforcement of the paramilitary forces in the occupied territories is expected to continue. The majority of those mobilized in Serbia and Montenegro and sent to Croatia are civilians, but a significant number of the conscripts

are members of the special forces of the "Army of Yugoslavia". Some are also sent to Bosnia and Herzegovina.

According to the information available to the Government of the Republic of Croatia, the primary goal of the Belgrade authorities in this regard is to use the transferred special units of the "Army of Yugoslavia" to strengthen further and reinforce their stronghold in the area of Slunj in Croatia, and thereby secure the occupation of this region, as well as to amass considerable forces for further engagements in the strategically important region of Bihać in Bosnia and Herzegovina, a Security Council declared "safe area".

As additional evidence of the direct and increasing involvement of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in Croatia, I should like to draw your attention to the fact that the commander of the Serb paramilitary forces in Croatia, Lt. General Mile Mrkšić, prior to his present assignment, served as Assistant Chief of the General Staff of the "Army of Yugoslavia", and was responsible for its special forces. Lt. General Mrkšić was also the "JNA" officer responsible for the siege of Vukovar. Moreover, only during the month of June 1995 the following other senior "Army of Yugoslavia" commissioned officers were assigned for duty in the occupied territories of Croatia:

1. Colonel Slobodan Tarbuk from the "Army of Yugoslavia" Kragujevac corps transferred to the 39th corps of the so-called "Army of the Republic of Serbian Krajina (RSK)" in Petrinja, Croatia, on 9 June 1995.

2. Lt. Colonel Vučeković from the "Army of Yugoslavia", transferred to the 11th corps of the so-called "Army of RSK" in Croatia on 23 June 1995.

3. Colonel Uroš Despotović from the "Army of Yugoslavia" transferred to the 70th paramilitary infantry brigade of the so-called "Army of RSK" in Plaški, Croatia, in June 1995.

4. Colonel Milivojević from the "Army of Yugoslavia", transferred to the 70th paramilitary infantry brigade of the so-called "Army of RSK" in Plaški, Croatia, in June 1995.

5. Lt. Colonel Miloš Cvjetičanin from the "Army of Yugoslavia" transferred to the 2nd armoured brigade of the so-called "Army of RSK" in Croatia in June 1995.

6. Colonel Milorad Stupar from the "Army of Yugoslavia" Pančevo special units corps transferred to the paramilitary special forces of the so-called "Army of RSK" corps in Croatia in June 1995.

Furthermore, on 13 June 1995, two "Army of Yugoslavia" tank units totalling 26 M-84 main battle tanks operated by the "Army of Yugoslavia" 211th armoured brigade, were sent from Niš, Serbia, across the border with Bosnia and Herzegovina, and deployed in Slunj, in the occupied territories of Croatia in sector Glina. On 12 June 1995, one unit of armoured personnel carriers (APCs) consisting of 10 vehicles operated by the "Army of Yugoslavia" second motorized brigade was sent from Valjevo, Serbia, across the border with Bosnia and

Herzegovina, and deployed in the same region in Croatia, at Banovina. In addition, on 19 June 1995, the "Army of Yugoslavia" supplied equipage for two Mi-8 rotary-wing aircraft located at the Udbina airport in the occupied territories, sector Knin, through the territory of Bosnia and Herzegovina.

I would also like to inform you that as at May 1995 a total of 320 Serb paramilitary troops remain in the zone of separation, in violation of the 29 March 1994 cease-fire agreement and Security Council resolution 994 (1995) of 17 May 1995. Of these, 70 are in sector "Vukovar", 50 in sector "Glina", and 200 in sector "Knin". On 22 June 1995, two new platoons of paramilitary personnel were deployed in the zone of separation in the vicinity of Kasić, in sector "Knin", directly threatening the civilian traffic on the Zadar-Maslenica highway, and, on 23 June 1995, two additional platoons of paramilitary personnel were deployed in the zone of separation near Osijek. The transfer of soldiers from Serbia and Montenegro may have contributed to a troop build-up in the zone of separation.

The aforementioned facts clearly indicate that the Croatian Serb paramilitary forces are a proxy of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" - organized, equipped, controlled, trained and commanded by the "Army of Yugoslavia". The government in Belgrade must therefore be held fully accountable for conducting open military intervention against a United Nations Member State and occupying parts of the sovereign territory of that State.

In this regard, the Government of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" must also be held accountable for grave breaches of international humanitarian law. The forcible mobilization of ethnic Serb citizens of the Republic of Croatia into paramilitary units which are hostile to their country of citizenship, and in which the authorities of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" are involved, represents a grave breach of the Fourth Geneva Convention of 1949, article 51, and is a war crime (1945 London Agreement).

The blatant violation of international humanitarian law and violation of relevant United Nations resolutions, in particular Security Council resolution 988 (1995), by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" cannot be condoned. My Government hereby submits that the above information should be fully addressed in the upcoming Security Council review of the suspended sanctions regime pursuant to resolution 988 (1995). The Government of Croatia is of the firm view that the above-cited developments constitute a serious breach of resolution 988 (1995), and, therefore, the suspended parts of the sanctions regime must be reinstituted without delay. The Government of Croatia is also of the view that the Council should consider, with utmost urgency, and condemn in the strongest terms the most recent acts of interference by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in the internal affairs of Croatia, and take appropriate measures in the spirit and the letter of General Assembly resolution 49/43 and Security Council resolutions 871 (1994) and 994 (1995). The condoning of this serious border violation and silence

about Belgrade's intervention in Croatia would be a very serious set-back for the situation in the occupied territories of Croatia and for the peace process in the region in general.

(Signed) Mate GRANIĆ